Previous references
Courts J.F. 86 of 03-04.

File No. 81 of 1904-05

1904

(III- Court)

Later references.
Same file ll: no 405, B. Nov. 1904.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

PART B FOR September 1904

SUBJECT.

Bill of Mr. S. Venkatadasappa, Advocate, for having conducted the prosecution of one J. H. Rama Rao and others, for fraudulently claiming the value of a currency note.

FILE No. 81 of 1904-05.

Bill of Mr. S. Venkatadasappa, Advocate, for having conducted the prosecution of one J. H. Rama Rao and 2 others for having preferred a false claim to the value of a currency note.

1 To the District Magistrate, Kadur, No. 55-J., dated the 8th July 1904.
Returns the bills of Mr. S. Venkatadasappa, Advocate, received with the District Magistrate's letter No. 562, dated the 9th June 1904, for retransmission with certain corrections as directed.

2 From the District Magistrate, Kadur, No. 91, dated the 22nd August 1904.
Forwards, for the orders of Government, a letter from Mr. Venkatadasappa, explaining how he is entitled to the full amount specified in the bill, and soliciting sanction to the same, unless the Government decide otherwise.

3 To the First Assistant to the Resident in Mysore, No. Pol. 227, dated the 7th September 1904.
Forwards the bill received with Serial No. 2, amounting to Rs. 195-2-8, for favor of adjustment by the Commissioner, Paper Currency, Madras, and states that the fees charged are in accordance with the scale allowed for similar cases by the Durbar.

G

J. F. 86 of 03-04.

G.R.S. 11] 1904.05

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 87

FILE HEADING.

Bill of Mr S. Venkatdasappa, Advocate, for having conducted the prosecution of one J. M. Rama & 2 others of Kadur for having preferred a fraudulent claim to the Value of Currency note

From

The District Magistrate of the Kadur District

No. 91 Dated 22nd Augt 04 Received 26th Augt 1904

Diary No. J 488 | Enclos. One Three Spare Copies. — | Serial No. 2

BRIEF ABSTRACT OF LETTER.

Forwards letter from Mr S. Venkatdasappa stating that the institution of proceedings by filing a complaint does not come within the limitation of subpara 3 of para 7 of Govt Orders No. 1532-85 J 137 of 02-03 dt 16/3/04 and soliciting that, unless Govt decide otherwise, the full amount may be sanctioned

NOTES AND ORDERS.

1. J. M. Rama & 2 others of Kadur having preferred a false claim to the Value of Currency note. & the Commissioner of Paper Currency Madras having expressed his inability to spare any of his Official to conduct the prosecution the approval

Flag T.

Recorded in B+

9-9-04

NOTES—First sheet.

MGCPB—5,000—18-5-04

G.R.S. 12]

General and Revenue Secretariat. | File No. 87 of 1904-05

Serial No.

of the 15th inst. Resident was asked for
the employment of the Public Prosecutor
of Kadur to conduct the prosecution, fee
allowed for similar cases by the Govern-
ment being charged/paid. This was approved
by the First inst. Resident. The services
of the Public Prosecutor not being/obtainable
Mr S. Venkatadasappa's services were/secured
The result of the prosecution has been
communicated to the Comm^r, Paper current
from the 15th inst. Resident.

2 Late on Mr S. V. Dasappa sent in his
bills amounting to Rs 155-2-8. The bills
were returned as it was brought to his
amount of Rs 10-10-8 claimed in each case
for filing an application could not be
allowed under para 7(3) of Sch.
Proc. above referred to. The District Magistrate
now forwards the bills with a letter from Mr S. V. Dasappa.

3 The bills if are approved of, may will

NOTE—Contn. sheet.

MGCPB—10,000—19-5-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 87 of 1904-05.

Serial No.

be forwarded to the Commissioner Paper Currency Madras for adjustment.

Submitted

2/9/04 2.9.04

Draft Submitted

3/9/04 3.9.04 5. The reasoning of Mr Venkatesadappa seems wee sound. The filing of a complaint is distinguishable from that of a mere subsidiary application during the progress of a case A typed draft is put up

Put up typed draft

3/9

Draft approved

6.9.1904

Typed copy is put up

5/9/04 5.9.04

7/9

3 In the Post Office Act No. 7 of 1904 forwards the above bill of Mr S. Venkatesadappa for favour of adjustment of charges by the Commissioner Paper Currency, Madras, so that the fees charged are in accordance with the scale allowed for similar cases by the Department.

MGCPB—10,000—19-5-04

File No 81
G.A.F. 1

1904-08

1

From

Secy. to the Govt. of His Highness
the Maharaja of Mysore,
Genl. and Rev. Depts.

To The District Magistrate
Kadur.

Dated
Despatched 8/July 1904
Received
General No. 55-86 of 1903-04
No. 81 of 04-08

ENCLOSURE NO.

In returning the bills
received with his letter No.
62 dated the 5th June 1904
amounting to Rs 155-2-8 being
the amount claimed by
Mr. S. Venkatadasappa,
advocate, for having
conducted the prosecution
in criminal cases No. 77,
78, and 79 on the file of
the Assistant Commissioner
and 1st class Magistrate,
Kadur, has the honor to
invite his attention to
para 7 sub section (3) of
Govt Proc No. ~~2~~ 1932-85
2 137 of 02-03
dated the 18th March 1902
and to state that the

Flag A

amount of Rs 10-10-8 claimed in each case for filing the application being inadmissible under the rules the necessary corrections may be made in the bills and the bills retransmitted to this office as early as possible

By order

for [illegible]

xs
7/7/04
7-7-04

cpd: [illegible] 8-7-04
cxd. 8-7-04

III 1 Quest 28/C (Courts)

Sl No 2

J488.

1904

From
The District magistrate of Kadur

To
The Secretary to the Govt of Madras General and Revenue dept to

Dated 22nd

Despatched 23d August

Received

General No. 91

No.

Enclosure No. 2

Forwarding for orders letter and bills received from Mr. Venkatadasappa Advocate, for having conducted prosecution in criminal cases nos 77, 78 & 79 of 1903-04 on the file of the Assistant Magte, Kadur District

3 J488 File No 81
Sec No 2.

Chitrinagalur 22nd August 1904

From

M. Narain Rao Esquire
District magistrate
of Kadur

To

B. K. Venkatavardiengar Esquire
Secretary to the Govt of Mysore
General and Revenue dept to

Sir,

With reference to your docket No 55-86/C3-04 dated 8th July 1904, returning for revision and remission bills for Rs 195-2-8 being the amount claimed by Mr A. Venkatadasappa, Advocate, for having conducted the prosecution in Criminal cases nos 77,78 and 79 on the file of the Assistant Commissioner and 1st class magistrate, Kadur, I have the honor to forward for orders of Government letter received from Mr Venkatadasappa on the 20th instant in which he explains that the initiation of proceedings by filing a complaint petition does not come within the limitation of Sub Section 3 to para 7 of G.O. No J 1932-85/J 137-02-03 dated 16th March 1904, and solicits that the full amount claimed

Files 4

by

No. 314
AUG. 22 1904
KADUR DISTRICT

Rec.
20.8.04.

Submit for orders.
20.8.04

To,

The District Magistrate
of Kadur.

Sir,

I beg to acknowledge docket General No. 161 dated 25th July 1904 returning the three bills amounting to Rs 195-2-8 claimed by me as fees for conducting the prosecution in Criminal cases Nos 77 78 and 79 on the file of the 1st Assistant Commissioner and 1st class Magistrate Kadur District that the same may be resubmitted duly revised as per directions contained in Docket No. 55—86 dt 8th July 1904 from the Secretary to the Government of H H. The Maharaja of Mysore General and Revenue Departments and in reply thereto with great respect I beg to state that the bills as submitted by me are correct

Para 7 sub Sec 3 of Government Proceedings No J 1932-85 / J 137 of 02-03 dated 16th March 1904 provide that the remuneration to a public prosecutor will be Rs 16 for each days attendance in a criminal Court, that the fee should be limited to Rs 5 when the case is adjourned without trial or merely struck off and that no fee will be allowed for studying records, receiving instructions, presenting an application or for filing witness list and I beg to submit that the proceedings seem to contemplate only certain incidental applications made during the progress of a case. Filing the complaint petition and moving the court to order process to the accused is the commencement of the proceedings in a criminal case after a complaint is being filed processes would only be ordered if the court be of opinion that there is sufficient ground for proceeding with the case under Sec 204 Cr. P. C. I beg to state that a case may even go over more than one hearing before a magistrate could be satisfied as aforesaid and may end in dismissal under Sec 202 of the Cr. P. C.

I beg to submit that even in such cases the advocate would be entitled for fees at Rs 16 per day under the proceedings quoted above. As the proceedings provide Rs 5 for the day when a case is merely struck off, I beg to submit that these cases having been taken on file and processes ordered I am entitled for the sums claimed.

Under the above circumstances I beg to resubmit the three bills for the kind reconsideration of the Government with your kind support and beg to add that should the Government be pleased to rule otherwise I beg that the items of Rs 10. 10. 8 objected to may be scored and the bills sanctioned for the balance only.

I beg to remain
Sir,
your most obedient
Servant
L Venkatadasappa
Public. Prosecutor

To

The First Assistant to the Honorable
the Resident in Mysore.

Pol: No 22/7 Enc: 4
7-9-1904.

Sir,

Adverting to the correspondence ending with this office memo No.2414/J dated the 14th May 1904, regarding the prosecution of one J.H. Rama Rao and 2 others of Kadur for having preferred a false claim to the value of a currency note, I am directed to forward herewith for favor of adjustment by the Commissioner, Paper Currency, Madras, ~~duly verified~~ bills ~~for~~ amounting to Rs 195-2-8 on account of fees due to Mr. S. Venkatadasappa, Advocate, for having conducted the prosecution of the accused persons in question, in criminal case No. 77, 78 and 79 of 1903-04, on the file of the Assistant Commissioner Magistrate of the Kadur District.

2. In this connection I am directed to refer to your office No.440, dated the 27th January 1904 conveying the approval of the Hon'ble the Resident to the employment of the Public Prosecutor of Kadur for the conduct of the prosecution and to state that as the services of ~~this gentleman~~ could not be had those of Mr. S. Venkatadasappa were secured.

The

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3. The fees charged are in accordance with the scale allowed for similar cases by the Durbar as intimated in this office No.1433/J dated 20th January 1904.

I have &c

6.9.1904

Secretary.

Enclosures
Form alone
NGR

Copied W.M.R. 7-9-04
Examd. WM 7-9-04